

## Message Text

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67

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 SS-15 NSC-05 L-02 H-01

IO-10 /062 W

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R 271302Z FEB 75

FM AMEMBASSY VIENNA  
TO SECSTATE WASHDC 4929

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E.O. 11652: N/A

TAGS: EAIR, AU

SUBJECT: CIVAIR: CHARTER UNDERSTANDING

REF: A. VIENNA 385; B. STATE 79026 OF 4/26/73

1. FONOFF INFORMED EMBASSY FEB. 27 THAT IT IS PREPARING TO  
SUBMIT AMENDED MEMORANDUM OF UNDERSTANDING ON TGCS AND ABCS  
TO COUNCIL OF MINISTERS FOR APPROVAL. GERMAN TRANSLATION  
OF MEMORANDUM HAS BEEN PREPARED AND IS NECESSARY FOR COUNCIL  
OF MINISTERS' ACTION. HOWEVER, FOREIGN OFFICE REGARDS  
ENGLISH TEXT AS ONLY AUTHENTIC TEXT AND DOES NOT BELIEVE  
THAT U.S. APPROVAL OF GERMAN TEXT IS NECESSARY.

2. WITH REGARD TO EXCHANGE OF NOTES BETWEEN EMBASSY AND  
FOREIGN MINISTRY, FOREIGN OFFICE HAS SUGGESTED SEVERAL  
CHANGES FROM TEXTS AS ORIGINALLY PROPOSED BY U.S. IN REF B.

3. AUSTRIAN SUGGESTED TEXT OF LETTER FROM AMBASSADOR IS  
AS FOLLOWS:

QUOTE EXCELLENCY:

QUOTE I HAVE THE HONOR TO REFER TO DISCUSSIONS WHICH HAVE  
TAKEN PLACE RECENTLY AT VIENNA BETWEEN REPRESENTATIVES  
OF THE REPUBLIC OF AUSTRIA AND THE EMBASSY OF THE  
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UNITED STATES OF AMERICA WITH REGARD TO THE NEW RULES

ON ADVANCE CHARTER TRAFFIC WHICH HAVE BEEN ADOPTED BY  
OUR TWO GOVERNMENTS.

QUOTE IT IS MY UNDERSTANDING THAT THESE REPRESENTATIVES  
HAVE AGREED TO REFER TO THEIR RESPECTIVE GOVERNMENTS  
A MEMORANDUM OF UNDERSTANDING ON THE SUBJECT, THE  
TEXT OF WHICH IS ENCLOSED.

QUOTE I HAVE THE HONOR TO INFORM YOUR EXCELLENCY THAT  
THE GOVERNMENT OF THE UNITED STATE OF AMERICA AGREES  
TO THE PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING  
REFERRED TO ABOVE, AND TO PROPOSE THAT, IF THE AUSTRIAN  
FEDERAL GOVERNMENT ALSO AGREES TO THE TERMS OF THE  
MEMORANDUM OF UNDERSTANDING, THE LATTER SHALL ENTER  
INTO FORCE AS AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS  
60 DAYS AFTER THE DATE OF YOUR AFFIRMATIVE REPLY.

QUOTE ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF  
MY HIGHEST CONSIDERATION. UNQUOTE.

4. PROPOSED REPLY:

QUOTE EXCELLENCY:

QUOTE: I HAVE THE HONOR TO ACKNOWLEDGE RECEIPT OF YOUR  
NOTE DATED ( ), WITH THE ENCLOSED MEMORANDUM OF  
UNDERSTANDING CONCERNING THE NEW RULES ON ADVANCE  
CHARTER TRAFFIC WHICH HAVE BEEN ADOPTED BY OUR TWO  
GOVERNMENTS.

QUOTE I HAVE THE HONOR TO INFORM YOUR EXCELLENCY THAT  
THE AUSTRIAN FEDERAL GOVERNMENT AGREES TO THE TERMS OF  
THE MEMORANDUM OF UNDERSTANDING WHICH SHALL ENTER INTO  
FORCE AS AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS 60  
DAYS AFTER THE DATE OF THIS REPLY. FOR THE MINISTRY  
OF FOREIGN AFFAIRS: UNQUOTE

5. RATIONALE FOR PROPOSED CHANGES IS AS FOLLOWS: THE  
GOA NEEDS 60 DAYS IN WHICH TO PUBLISH GERMAN TEXT OF  
MEMORANDUM IN FEDERAL GAZETTE. UNDER AUSTRIAN LAW  
SUCH AGREEMENTS ARE NOT BINDING UNTIL THEY ARE  
PUBLISHED. ALSO, AUSTRIANS WISH TO AVOID REPEATING  
IN THEIR REPLY THE TEXT OF THE AMBASSADOR'S NOTE  
SINCE THIS WOULD REQUIRE GERMAN TEXTS OF NOTES AND  
SUBMISSION OF NOTES TO COUNCIL OF MINISTERS. AUSTRIANS  
WOULD PREFER TO ELIMINATE THESE PROCEDURAL COMPLICA-  
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TIONS.

6. AUSTRIANS INFORM US FURTHER THAT MINISTER'S REPLY  
WILL PROBABLY BE SIGNED BY AMBASSADOR SCHOBER, CHIEF  
OF ECONOMIC SECTION OF FOREIGN MINISTRY, ACTING FOR  
THE MINISTER.

7. WITH REGARD TO TEXT OF REVISED MEMORANDUM ITSELF,

AUSTRIANS WISH TO REPLACE REFERENCE TO QUOTE GOVERN-  
MENT OF THE REPUBLIC OF AUSTRIA UNQUOTE IN  
OPENING PARAGRAPH WITH QUOTE AUSTRIAN FEDERAL GOVERNMENT

UNQUOTE.

8. ADVISE ALSO WHETHER MOU ITSELF IS TO BE SIGNED OR  
INITIALED. ASSUME MOU SHOULD CARRY SAME DATE AS  
EXCHANGE OF NOTES.

9. RE SECTION I, D (3) OF MOU, WORD "YIELDING". SHOULD THIS  
BE "WIELDING"?

10 REQUEST DEPARTMENT'S COMMENTS ON ABOVE SOONEST.  
SINCE FOREIGN OFFICE AT LEAST SEEMS EAGER TO CONCLUDE  
AGREEMENT, WE WOULD LIKE TO WRAP THIS UP BEFORE  
AUSTRIANS FIND FURTHER REASONS FOR DELAY, ASSUMING  
USG STILL INTERESTED IN AGREEMENT. HUMES

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, POLICIES, AVIATION REGULATIONS, AVIATION AGREEMENTS, RESOLUTIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 FEB 1975  
**Decapton Date:** 01 JAN 1960  
**Decapton Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975VIENNA01705  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750069-0944  
**From:** VIENNA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t1975025/aaaaaedd.tel  
**Line Count:** 135  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 VIENNA 385, 75 STATE 79026, 75 OF 4/26/73  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MorefiRH  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 31 MAR 2003  
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**Review History:** RELEASED <31 MAR 2003 by BoyleJA>; APPROVED <19 MAY 2003 by MorefiRH>  
**Review Markings:**

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**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CIVAIR: CHARTER UNDERSTANDING  
**TAGS:** EAIR, AU  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006